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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/554,417

05/11/2000

LYNN SPRAGGS

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10361

7590

05/28/2004

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EXAMINER

CHEN, SHIN HON

ART UNIT

PAPER NUMBER

2131

DATE MAILED: 05/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/554,417

Applicant(s)

SPRAGGS, LYNN

Examiner

Shin-Hon Chen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 May 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. Claims 1-16 have been examined.

Claim Rejections - 35 USC § 112

2. Claim 1-16 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

As per claims 1-16, the claims recite “supervisor user” is not found in the specification and “preventing physical login” recited in claims 1-16 is not mentioned or described in the specification.

As per claims 1-16, the claims recite “prevent physical login to the server computer by **any user** while the server computer is so locked” is not described in the specification.

The specification describes that users are still allowed to use other services on the server (page 8 lines 4-16).

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1, 8, and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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5. Claims 1, 8, and 13 recite the limitation "the supervisor user" in claims. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

6. Claims 1, 2, 8, 11, 13, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hitz et al. U.S. Pub. No. 2001/0039622 (hereinafter Hitz) in view of Duxbury and further in view of Lim et al. U.S. Pat. No. 6434619 (hereinafter Lim).

As per claim 1, 2, 8, 11, 13, and 16, Hitz discloses a system for securing a server computer from unauthorized access by a user (Hitz: [0004]-[0007] and [0032]-[0041]: users are restricted access based on conditions). Hitz does not explicitly disclose the system comprising an access engine for temporarily and replaceably removing the supervisor user on the server computer. However, Duxbury discloses these limitations (Duxbury: column 4 lines 20-29: remove the superuser status). The superuser is a nickname for root and removing the superuser also means to remove the root or root account. It would have been obvious to one having ordinary skill in the art to temporarily and replaceably remove the supervisor user from on the server computer, which can be done by moving the user to a regular user status. Therefore, it would have been obvious to one having ordinary skill in the art to combine the teachings of Duxbury within the system of Hitz to enforce access control policy of network resources.

Hitz as modified does not explicitly disclose removing the supervisor user to temporarily lock the server computer and to thereby prevent physical login to the server computer by any user while the server computer is so locked. However, Lim discloses login from

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internal/external user or administrator may fail due to various reasons including server status locked, non-existent account, disabled account, etc. (Lim: column 9 lines 53-63). It would have been obvious to one having ordinary skill in the art to remove superuser account/status to cause login failure and cause server status locked in order to prevent access to a system. Therefore, it would have been obvious to one having ordinary skill in the art to combine the teachings of Lim within the combination of Hitz-Duxbury because it increases the security of the system by disallowing access due to various types of reasons.

7. Claims 3, 4, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hitz in view of Duxbury and further in view of Lim and further in view of Boebert et al. U.S. Pat. No. 5822435 (hereinafter Boebert2).

As per claim 3, Hitz as modified discloses a system in claim 1. Hitz as modified does not explicitly teach the method of removing supervisor rights from an external client computer. However, Boebert2 teaches the method of accessing the server from an unsecured computer (Boebert2: column 3 lines 19-23: ensure secure communication medium between a user working on an unsecure computer and a host computer). It would have been obvious to one having ordinary skill in the art to allow a user to access the server from a workstation that the user has easier access to by using different types of authentication method. Therefore, it would have been obvious to combine the teachings Boebert2 within the combination of Hitz-Duxbury-Lim to allow users with authority to

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remote login the server system from an external computer to manage the server or to lock the server without having to be at the server site.

As per claim 4, Hitz as modified discloses a system in claim 3. Duxbury further teaches the access engine allows supervisor rights to be restored on the server computer (Duxbury: column 4 lines 20-30: allows the privilege to be reset when entering command shell). Since a user can be logged in remotely, the authorized user would be able to execute commands as disclosed by Duxbury. Therefore, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention to combine the teachings of Duxbury within the combination of Hitz-Duxbury-Lim-Boebert2 because the server needs to be restored so that managing tasks or supervising tasks can be performed again by administrator or authorized users.

As per claim 12, Hitz as modified discloses a method according to claim 8. Hitz as modified does not explicitly teach the method of removing supervisor rights from an external client computer over an Internet (Boebert2: column 3 lines 19-23: ensure secure communication medium between a user working on an unsecured computer and a host computer). Same rationale applies here as above in rejecting claim 3.

8. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hitz in view of Duxbury and further in view of Lim and further in view of Boebert2 and further in view of Pang et al. U.S. Pat. No. 6446204 (hereinafter Pang).

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As per claim 5 and 6, Hitz as modified discloses a system in claim 3. Hitz as modified does not explicitly teach authenticating user password and IP address before the external client computer can remove the supervisor rights. However, Pang teaches that limitation (Pang: column 1 lines 53-58: authorization information typically contain user's name and a password, a particular IP address). The use of IP address and password of users to access a server is well known in the art. Therefore, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention to combine the teachings of Boebert, Duxbury, Boebert2, and Pang because multiple authentication increase difficulty for unauthorized users to break into the system.

9. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hitz in view of Duxbury and further in view of Lim and further in view of Truong U.S. Pat. No. 6151609 (hereinafter Truong).

As per claim 7, Hitz as modified discloses a system in claim 1. Hitz as modified does not explicitly teach the computer system is a server computer that connects to an Internet. However, Truong teaches an Internet server that allows remote editing (Truong: column2 lines 42-51: tasks of system administrator; column 3 lines 12-60: a remote editor system). It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to combine the teaching of Truong within the combination of Hitz-Duxbury-Lim because it allows the system administrator to maintain and manage the server when the system administrator is not physically near the server computer.

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10. Claims 9, 10, 14, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hitz in view of Duxbury and further in view of Lim and further in view of Wu et al. U.S. Pat. No. 5774551 (hereinafter Wu).

As per claim 9, 10, 14, and 15, Hitz as modified discloses a method according to claims 8 and 13. Hitz as modified does not explicitly teach the use of IP address of trusted external computer to authenticate users before removing the supervisor user. However, Wu teaches the method of authenticating IP address with a list and password supplied by the external client computer (Wu: column 13 lines 42-52: the authenticate user method tests the name or address of the remote computer against a list of trusted remote computers; column 15 lines 1-5: request and verify a user's password). It would have been obvious to one having ordinary skill in the art to combine the teachings of Wu within the combination of Hitz-Duxbury-Lim because it is well known in the art to authenticate users before any operation on server can be performed.

Response to Arguments

11. Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

Regarding Duxbury reference, the claims do not recite to "have no users on the server" and this limitation cannot be found on the specification. Instead, the specification discloses removing supervisor rights on the server (page 8). Therefore, the claims remain rejected.

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Regarding Truong reference, Truong discloses remotely managing and editing files stored on the server instead of merely talking about FTP and transporting files between server and client. Therefore, the Truong reference presents significant relevance to the invention.

Regarding Wu reference, the use of username, password, and other identifier to authenticate users is well known in the art. Therefore, it is essential for an administrator to perform administrative tasks after authentication has been performed to ensure security and administrative tasks include adding/removing users.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chang et al. U.S. Pat. No. 6219700 discloses web server based network and authentication is performed to ensure that a user can perform only those operations or access those files the user is authorized to perform and there is super system administrator to manage services in a network including adding and deleting administrators (column 2 lines 12-65 and column 7 lines 40-54).

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shin-Hon Chen whose telephone number is (703) 305-8654. The examiner can normally be reached on Monday through Friday 8:30am to 5:30pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (703) 305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Shin-Hon Chen
Examiner
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